

U.S. Patent Application No. 10/522,000
Response to Restriction Requirement dated March 29, 2007
Reply to Office Action of March 12, 2007

REMARKS/ARGUMENTS

At page 2 of the Office Action, the Examiner is requesting that the applicant elect from one of five groups as follows:

- I. Claims 1-11, 20, 24, and 28, drawn to a single chain antibody carrying a labeling substance in a linker part of the antibody.
- II. Claims 12-16, 18, and 19, drawn to DNA encoding a heavy and light chain having the ability to bind a specific antigen and being linked through a DNA encoded linker having the ability of binding to a labeling substance, and a method of using the DNA to produce the labeled single chain antibody.
- III. Claims 21-23, drawn to a method for producing an immobilized single chain antibody carrying a labeling substance in a linker part of the antibody and contacting the antibody onto a reaction plate comprising a plurality of regions having on the surface a substance that bonds to the labeling substance of an antibody.
- IV. Claims 25 and 26, drawn to a method for analyzing an antigen-antibody reaction comprising reacting a test substance with an immobilized single chain antibody and analyzing the binding ability of the test substance with the single chain antibody.
- V. Claim 27, drawn to a reagent kit comprising a reagent for use in an assay for measuring antigen-antibody reaction.

To be responsive, the applicants elect, with traverse, Group I, claims 1-11, 20, 24, and 28, for examination. However, please note that claims 10 and 11 were previously cancelled in the Preliminary Amendment filed January 18, 2005.

For the following reasons, the restriction requirement is respectfully traversed.

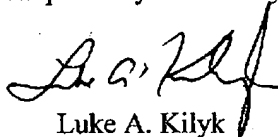
This application is a § 371 National Stage entry which takes into consideration the unity requirements for applications entering from the PCT application. Contrary to the Examiner's comments, in the counterpart International application, unity was found with respect to many of the claims, as shown in the International Search Report and Examination Report, even in view of the Luo et al. and Zhang et al. references cited by the Examiner. Thus, all claims in all of the groups

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should be examined at this time. With regard to the non-elected claims, it is respectfully submitted that these claims should be examined at this time since there appears to be no serious burden on the part of the Examiner to search the entire scope of the claims. At a minimum, these claims should be rejoined upon the allowability of the subject matter of Group I due to their relationship to the subject matter of the remaining groups. It is believed that the subject matter has the same concept from the standpoint that the searches would overlap to some extent. Under M.P.E.P. § 803, if there is no serious burden in the examination of all of the claims even if the claims are directed to separate inventions, the Examiner must examine all claims at this time. It would appear that § 803 applies to the current situation and therefore the restriction requirement should be withdrawn and all claims should be examined at this time. At a minimum, the Examiner should re-group these non-elected claims upon the allowability of the Group I subject matter.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 50-0925. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to said Deposit Account.

Respectfully submitted,



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